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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,633	07/15/2003	Brian G. Payton	SVL920030074US1/3794P	1713

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EXAMINER
LONG, ANDREA NATAE

ART UNIT	PAPER NUMBER
2176	

NOTIFICATION DATE	DELIVERY MODE
10/18/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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	Application No.	Applicant(s)
Office Action Summary	10/620,633	PAYTON ET AL.
	Examiner	Art Unit	
	Andrea N. Long	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _06 September 2007_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-3,5,6,10,11,13-15,17,18,22,23 and 37-43_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-3, 5-6, 10-11, 13-15, 17-18, 22-23, and 37-43_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 09/06/2007 has been entered.

Applicant's Remarks

2.   Claims 1-36 were pending in the application. Claims 4, 7-9, 12, 16, 19-21, and 24-36

have been cancelled. Claims 1-3, 5-6, 10-11, 13-15, 17-18, and 22-23 have been amended.

Claims 37-43 are newly submitted. Claims 1-36, 5-6, 10-11, 13-15, 17-18, 22-23, and 37-43 are

currently pending in the application.

The rejection of claims 5, 17, and 29 under 35 U.S.C. 112, second paragraph, is moot.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 1-3, 5-6, 10-11, 13-15, 17-18, 22-23, and 37-43 are rejected under 35 U.S.C.

103(a) as being unpatentable over Mocek et al (US Patent 5924089), hereinafter "Mocek"

in view of Rubinstein (US Patent 5721897).

As to independent claims 1,13, and 37, Mocek teaches a query assist tool and method

for creating a query search condition (column 2 lines 5-15 – Mocek discloses a database

management system that uses a user interface to create a query condition), comprising:

a user interface including a first display area to display names of columns that are

selectable for use in a predicate of the query search condition (Fig 3E reference character 376,

column 5 lines 1-13 – taught as the fields in the selectable database);

a second display area to display column operators that are selectable for use in the

predicate of the query search condition (Fig 3E reference character 378, column 5 lines 13-14 –

taught as relational conditional operators). Mocek teaches a third display area which in response

to a selection from the operator, additional values associated with the operator, conforms to the

selected operator (Fig 3E reference character 378 and 380, Fig 3G reference character 395 – the

value boxes change according the selection of the operator). Mocek additionally teaches wherein

the first display area, the second display area, and the third display area are displayed together on

the user interface (Fig 3E).

It is established above that Mocek teaches automatically changing the value boxes

according to a selection of an operator. However, Mocek fails to teach displaying an

automatically generated list of all possible values that are selectable for use in the predicate of

the query search condition, based on a selected column operator in the second display area.

Rubinstein teaches a user interface for search documents that uses an automatically generated list

of search terms to implement in to the search query (column 3 lines 57-60). Rubinstein discloses

that by automatically generating a list of search terms prompts the user to search for information

of interest without requiring the user to conceive search terms.

Therefore it would have been obvious to one skilled in the art at the time the invention

was made to have included the use of an automatically generated list of search terms (values) of

Rubinstein in the query assist tool with responsive value box of Mocek to relive the user from

the burden of creating values, and instead permit the user to browse the relevant values on the

basis of the automatically generated list of values.

As to dependent claims 2, 14, and 38, Mocek teaches wherein the user interface further

includes a fourth display area to display the query search condition responsive to selection of a

name of a column, a column operator, and a value (column 5 lines 16-20, Fig 3E reference

character 382 – Mocek discloses the computer interprets the information entered above and

displays a search condition).

As to dependent claims 3, 15, and 39, Mocek teaches means for confirming selection of a name of a column, a column operator, and a value (column 4 lines 25-26, Fig 3A – Mocek discloses that the user can click the next button or any of the tabs to move on, which is equivalent of a user confirmation).

As to dependent claims 5, 17, and 41, Mocek teaches wherein means for confirming a selection further comprises a button in the user interface (column 4 lines 25-26, Fig 3A – Mocek discloses that the user can click the next button or any of the tabs to move on).

As to dependent claims 6,18, and 40, Mocek teaches means for providing the query search condition to a query model (column 3 lines 60-63).

As to dependent claims 10, 11, 22, 23, 42, and 43, Mocek teaches wherein the database names are selectable from a pull-down menu (Fig 3F reference character 374). While Mocek does not disclose the names of columns or the column operators that are selectable for use in the predicate of the query search condition are displayed in a first pull-down menu and second pull-down menu, it is reasonable to one skilled in the art that the pull-down menu could be utilized in the names of columns and the column operators as a design choice or to simplify the look of the user interface.

Response to Arguments

5.   Applicant's arguments with respect to claims 1, 13, and 37 have been considered but are moot in view of the new ground(s) of rejection.

Upon further consideration of the previously cited prior art references, the Examiner's rejections and analysis have changed to reflect the interpretation of the claims as amended, which interpreted as a whole changes the scope of the claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrea N. Long whose telephone number is 571-270-1055. The examiner can normally be reached on Mon - Thurs 6:00 am to 3:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrea Long
October 10, 2007

WILLIAM BASHORE
PRIMARY EXAMINER